

PATENT
Serial No. 10/509,478
Amendment in Reply to Office Action mailed on January 10, 2006

IN THE DRAWING

Please replace FIG 1 with the enclosed replacement FIG 1..

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REMARKS

This Amendment is being filed in response to the Office Action dated January 10, 2006, which has been reviewed and carefully considered.

By means of the present amendment, claims 1-16 have been amended. Claims 1-16 are pending in this application, with claims 1 and 12 being the only independent claims.

Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the specification has been amended for better conformance to U.S. practice.

By means of the present amendment, claims 1-16 have been amended for better conformance to U.S. practice, such as beginning the dependent claims with 'The' instead of 'A'. Claims 1-16 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner objected to the drawings for lack of the legend --Prior Art-- in FIGs 1 and 4. In response,

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FIG 1 has been amended to include the legend --Prior Art--. It is respectfully submitted that FIG 4 is NOT prior art. A replacement sheet including FIG 1 is enclosed. Applicants respectfully request withdrawal of the drawings objection and approval of the enclosed proposed drawing change.

In the Office Action, the Examiner objected to the Abstract. In response, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice. Accordingly, withdrawal of the objection to the Abstract is respectfully requested.

In the Office Action, the Examiner objected to the specification and suggested adding headings to the specification. Applicants gratefully acknowledge the Examiner's suggestion, however respectfully decline to add the headings as they are not required in accordance with MPEP §608.01(a). Accordingly, withdrawal of the objection to the specification is respectfully requested.

In the Office Action, claim 1 is rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. In response, claims 1 and 12 have been amended to overcome the informalities

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noted by the Examiner. It is respectfully submitted that the rejection of claim 1 has been overcome and an indication as such is respectfully requested.

In the Office Action, the Examiner indicated that claim 7 would be allowable if rewritten in independent form. In addition, claims 1-6 and 8-16 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,581,178 (Kondo) in view of U.S. Patent No. 5,757,825 (Kimura). Applicants gratefully acknowledge the indication that claim 7 contains allowable subject matter. However, Applicants have not rewritten claim 7 in independent form, since it is believed that independent claims 1 and 12, as well as claims 2-6, 8-11 and 13-16 should be allowable over Kondo and Kimura for at least the following reasons.

On pages 8 and 12 of the Office Action, the Abstract of Kondo is cited in rejecting independent claims 1 and 12. Kondo has 20 figures and 36 columns of text qualifying this patent as "complex". Therefore pursuant to 37 CFR 1.104, the Examiner must indicate how the reference is being applied. It is alleged that the Abstract of Kondo teaches reducing the length of each row, as recited in independent claims 1 and 12. In particular, it is alleged that

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"segmenting data units into predetermined lengths is analogous to reducing the length of each row of the present application." (See Office Action, page 8, last two lines). Applicants respectfully disagree.

Assuming, arguendo, that segmenting data is analogous to reducing the length of each row, it is still respectfully submitted that the present invention as recited in independent claim 1, and similarly recited in independent claim 12 which, amongst other patentable elements, specifically requires (illustrative emphasis provided):

reducing the length of each row of said code block by adding X row symbols together to form Y row symbols replacing the X row symbols, Y being less than X, to form shortened rows according to a predetermined adding rule resulting in a reduced code block.

This feature is nowhere taught or suggested in the Abstract of Kondo. Kimura is cited to allegedly show other features and does not remedy the deficiencies in Kondo.

Accordingly, it is respectfully submitted that independent claims 1 and 12 should be allowable. In additions, claims 2-11 and 13-16 should be allowable at least based on their dependence from

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independent claims 1 and 12.


In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicants' representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
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April 10, 2006

Enclosure: Replacement drawing sheet (1 sheet with FIG 1)
New Abstract

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IN THE ABSTRACT

Please delete the current Abstract in its entirety and
substitute therefor the enclosed New Abstract.